



Attorney's Docket No.: 06501-099002 / H1-107PCT3-US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Toshio Ota et al. Art Unit : 1645  
Serial No. : 10/060,065 Examiner : Unknown  
Filed : January 29, 2002  
Title : NOVEL GENES ENCODING PROTEIN KINASE/PROTEIN PHOSPHATASE

**BOX MISSING PARTS**

U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

In response to the Notice to File Missing Parts of Application under 37 U.S.C. §1.53(b) mailed April 2, 2002 (copy enclosed), applicant as a large entity submits herewith the following:

- A check in the total amount of \$870, including payment of the basic filing fee of \$740 and the surcharge of \$130 for late filing of the basic filing fee and declaration;
- A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- A Preliminary Amendment (2 pages);
- A Verified Statement under 37 CFR §1.821(f); and
- A paper copy (57 pages) and computer-readable copy (1 diskette) of the Sequence Listing.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

July 1, 2002  
Date of Deposit

Kathleen Philpot  
Signature

KATHLEEN PHILPOT  
Typed or Printed Name of Person Signing Certificate

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Page : 2

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It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 06501-099002.

Respectfully submitted,

Date:

July 1, 2002



Janis K. Fraser, Ph.D., J.D.  
Reg. No. 34,819

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
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UNITED STATES PATENT AND TRADEMARK OFFICE



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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/060,065         | 01/29/2002          | Toshio Ota            | 06501-099002           |

CONFIRMATION NO. 9602  
FORMALITIES LETTER



\*OC000000007764063\*

JANIS K. FRASER, PH.D., J.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

Date Mailed: 04/02/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

07/10/2002 FILERHE 00000061 10060065

FILED UNDER 37 CFR 1.53(b)

01 FC:101  
02 FC:105

740.00 OP  
130.00 OP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



# 6  
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VERIFIED STATEMENT UNDER 37 CFR §1.821(f)

I, Jennifer H. Payne, declare that I personally prepared the paper and the computer-readable copy of the Sequence Listing filed herewith for the above-identified application and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: April 18, 2002



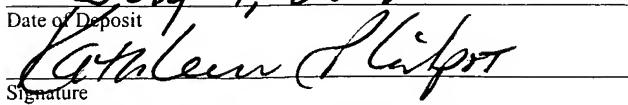
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KATHLEEN PHILPOT  
Typed or Printed Name of Person Signing Certificate